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Docket No.: 21381-00067-US
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
John A. Montgomery et al.

Application No.: 09/889,287

Confirmation No.: 2444

Filed: July 16, 2001

Art Unit: 1623

For: METHODS FOR SYNTHESIZING 2-
CHLORO-9-(2-DEOXY-2-FLUORO-B-D-
ARABINOFURANOSYL)-9H-PURIN-6-
AMINE

Examiner: D. Khare

INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed more than three months after the U.S. filing date, OR more than three months after the date of entry of the national stage of a PCT application, AND after the mailing date of the first Office Action on the merits, whichever occurs first, but before the mailing date of a Final Office Action or Notice of Allowance (37 CFR 1.97(c)).

A copy of the references listed on the PTO SB08 Form is attached, except for the U.S. patents.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 22-0185, under Order No. 21381-00067-US.

Dated: March 30, 2005

Respectfully submitted,

By 

Burton A. Amernick

Registration No.: 24,852

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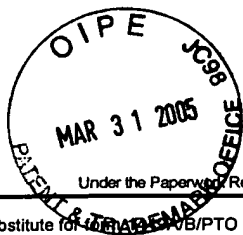
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Attorney for Applicant



PTO/SB/08a/b (08-03)
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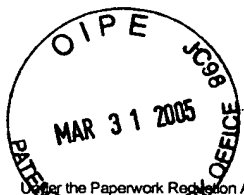
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		Complete if Known	
		Application Number	09/889,287-Conf. #2444
		Filing Date	July 16, 2001
		First Named Inventor	John A. Montgomery
		Art Unit	1623
Examiner Name	D. Khare		
Attorney Docket Number	21381-00067-US		
Sheet	1	of	2

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	AA	US-5,401,838	03-28-1995	CHOU	
	AB	US-5,384,310	01-24-1995	MONTGOMERY et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
	BA	WO-92/09604 A1	06-11-1992	BERLEX BIOSCIENCES, INC.		
	BB	WO-92/20347 A1	11-26-1992	SOUTHERN RESEARCH INSTITUTE		
	BC	EP-0 314 011 A2	05-03-1989	F. HOFFMANN-LA ROCHE & CO.		
	BD	WO-89/08658 A1	09-21-1989	SCRIPPS CLINIC AND RESEARCH FOUNDATION		
	BE	EP-0 577 303 A1	01-05-1994	ELI LILLY AND COMPANY		

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Examiner Signature		Date Considered	
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Substitute for form 1449 (Rev. 1-90)				Complete if Known	
				Application Number	09/889,287-Conf. #2444
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				Examiner Name	D. Khare
				Attorney Docket Number	21381-00067-US
Sheet	2	of	2		

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	CA	"Studies on the Azidoazomethine-Tetrazole Equilibrium. V. 2- and 6-Azidopurines" Temple, Jr. et al., Temple, Kussner, and Montgomery, vol. 31 pgs. 2210-2215. February 28, 1966.	
	CB	"Correlation of the Proton Magnetic Resonance Chemical Shifts of Substituted Purines with Reactivity Parameters. I. 2,6-Disubstituted Purines", Coburn Jr., et al. Coburn, Thorpe, Montgomery, and Hewson. vol. 30, pgs. 1110-1113. November 16, 1964.	
	CC	"Synthesis of 6-Aryloxy- and 6-Arylalkoxy-2-chloropurines and Their Interactions with Purine Nucleoside Phosphorylase from <i>Escherichia coli</i> .", Bzowska et al., J. Biosci. 1999, vol. 54, pgs. 1055-1067.	
	CD	"9-(2-Deoxy-2-fluoro-β-D-arabinofuranosyl) guanine: A Metabolically Stable Cytotoxic Analogue of 2'-Deoxyguanosine", Montgomery et al., Journal of Medicinal Chemistry, 1986, 29, 2389, December 23, 1985.	
	CE	"Synthesis and Biologic Activity of 2'-Fluoro-2-halo Derivatives of 9-β-D-Arabinofuranosyladenine ¹ ", Montgomery et al., Journal of Medicinal Chemistry 1992, 35, June 17, 1991.	
	CF	"Liquid chromatographic study of acid stability of 2-chloro-2'-arabino-fluoro-2'-deoxyadenosine, 2-chloro-2'-deoxyadenosine and related analogs", Reichelova et al., J. Pharm. Biomed. Anal. (1995), 13 (4/5), 711-714.	
	CG	"Synthesis and Anti-Hepatitis B Virus Activity of 9-(2-Deoxy-2-fluoro-β-L-arabinofuranosyl) purine Nucleosides", Ma et al., J. Med. Chem., 1997, 40, 2750-2754, April 7, 1997.	
	CH	"Convergent Syntheses and Cytostatic Properties of 2-chloro-2'-deoxy-2'-fluoroadenosine and its N ⁷ -isomer", Bioorganic & Medicinal Chemistry Letters, Zaitseva, Galina V. et al, vol. 5, No. 24: 2999-3002, 1995, XP00223094: 3300.	
	CI	Database CAPLUS on STN (Columbus, OH, USA), No. 122:260176 "Preparative high-performance liquid chromatographic separation of fluorodeoxy sugars", Evangelisto et al. Journal of Chromatography, 1995 695 (1), pages 128-131.	

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